

EXHIBIT M

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

IN RE: NATIONAL FOOTBALL
LEAGUE PLAYERS' CONCUSSION
INJURY LITIGATION

Kevin Turner and Shawn Wooden,
*on behalf of themselves and
others similarly situated,*

Plaintiffs,

v.

National Football League and
NFL Properties LLC,
successor-in-interest to
NFL Properties, Inc.,

Defendants.

THIS DOCUMENT RELATES TO:
ALL ACTIONS

No. 2:12-md-02323-AB

MDL No. 2323

Hon. Anita B. Brody

Civ. Action No. 14-00029-AB

**DECLARATION OF THOMAS V. GIRARDI IN SUPPORT OF CO-LEAD CLASS
COUNSEL'S PETITION FOR AN AWARD OF ATTORNEY'S FEES AND
REIMBURSEMENT OF COSTS AND EXPENSES**

THOMAS V. GIRARDI declares as follows pursuant to 28 U.S.C. § 1746:

1. I am a Thomas V. Girardi partner of the law firm of Girardi and Keese. I submit this declaration in support of Co-Lead Class Counsel's Petition for an Award of Attorney's Fees and Reimbursement of Costs and Expenses in connection with and for services rendered and expenses incurred for the common benefit of the Settlement Class in the above-captioned multidistrict litigation ("Action") from the inception of the litigation through July 15, 2016, as well as for the payment of expenses incurred therewith. I have personal knowledge of the

matters set forth in this declaration and, if called upon, I could and would testify competently thereto.

2. My firm along with Jason Luckasevic of Goldberg, Perkys & White, P.C., originated the "NFL Concussion Litigation" by filing the first two cases of its kind. Our firm's efforts were critical to the investigation of groundbreaking facts, creation of liability against the league and litigating the case up to and including the arguments on the NFL's Motions to Dismiss.

3. The schedule attached hereto as Exhibit 1 is a detailed summary indicating the amount of common benefit time spent by the attorneys and professional support staff of my firm who were involved in, and billed fifty or more hours to, this Action, and the lodestar calculation for those individuals based on my firm's current billing rates. For personnel who are no longer employed by my firm, the lodestar calculation is based on the billing rates of such personnel in their final year of employment by my firm. The schedule was prepared from contemporaneous daily time records regularly prepared and maintained by my firm. Time expended in preparing this application for attorney's fees and expenses has been excluded.

4. The hourly rates for the attorneys and professional support staff of my firm included in Exhibit 1 are the same as they charge for non-contingent work that is paid on an hourly basis, or for rates paid to attorneys of comparable experience and reputation in the relevant legal market and have been accepted by other federal courts in other class action cases prosecuted by my firm.

5. The total number of hours expended on the common benefit of this Action by my firm during the time period is 626.8 hours. The total lodestar for my firm for those ours is \$472,370.00 consisting only of attorney time.

6. My firm's lodestar figures are based solely upon my firm's billing rates, which rates do not include charges for expense items. Expense items are billed separately and such charges are not duplicated in my firm's billing rates.

7. As detailed in Exhibit 2 hereto, my firm is seeking reimbursement of a total of \$5,509.15 in common benefit expenses incurred in connection with the prosecution of this Action. These expenses are reflected on the books and records of my firm. These books and records are prepared from expense vouchers, check records, and other source material, and are an accurate record of the expenses incurred.

8. With respect to the standing of my firm to share in an award of fees, costs, and expenses, attached hereto as Exhibit 3 is a biography of my firm, including the attorneys in my firm who were principally involved in this Action.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on January 9, 2017, at Los Angeles, California

/s/ Thomas V. Girardi
Thomas V. Girardi

EXHIBIT 1

**IN RE: NATIONAL FOOTBALL LEAGUE PLAYERS' CONCUSSION INJURY
LITIGATION**

No. 12-md-2323-AB

Girardi and Keese

LODESTAR REPORT

Inception through July 15, 2016

NAME	HOURS	HOURLY RATE	AMOUNT
PARTNERS:			
Thomas V. Girardi	234	\$1,100	\$257,400.00
Graham LippSmith	258.3	\$650	\$167,895.00
ASSOCIATES:			
Celene S. Chan	134.5	\$350	\$47,075.00
STAFF ATTORNEYS:			
CONTRACT ATTORNEYS:			
PARALEGALS:			
TOTALS:			\$472,370.00

EXHIBIT 2

**IN RE: NATIONAL FOOTBALL LEAGUE PLAYERS' CONCUSSION INJURY
LITIGATION**

No. 12-md-2323-AB

Girardi and Keese

COST AND EXPENSE REPORT

Inception through July 15, 2016

NUMBER	CATEGORY	AMOUNT
1	Assessments	
2	Commercial Copies	
3	Computerized Research	
4	Court Reporters/Transcripts	
5	Expert Services	
6	Facsimile	
7	Filing & Service Fees	
8	In-House Copies	
9	Long Distance Telephone	
10	Postage/Express Delivery	
11	Travel/Meals/Lodging	\$5,509.15
12	Miscellaneous	
TOTAL EXPENSES		\$5,509.15

EXHIBIT 3

**IN RE: NATIONAL FOOTBALL LEAGUE PLAYERS' CONCUSSION INJURY
LITIGATION**

No. 12-md-2323-AB

Girardi and Keese

EXHIBIT #3

Girardi and Keese is a law firm located in Los Angeles, California. Thomas V. Girardi, the named partner of the firm, is one of the most respected attorneys in California and the United States. He has obtained more than thirty verdicts of \$1 million or more and has handled more than 100 settlements of \$1 million or more. He has tried more than 100 jury trial cases. Mr. Girardi has obtained the following settlements: \$4.85 billion against Merck for Vioxx, \$1.9 billion for California consumers defrauded by the manipulation of natural gas prices, and a \$785 million verdict against Lockheed for injuries suffered by its employees, just to name a few.

At the beginning of 2011, Herman Russomanno, reached out to Thomas V. Girardi regarding a case against the NFL. Girardi and Keese partnered with Goldberg, Perkys, & White and Russamanno and Borrello in pursuing a case against the NFL.

This case required a large amount of money and manpower. Girardi and Keese dedicated many hours to their work on this case including review of the science, speaking with various experts regarding CTE, developing the various legal theories that would be pursued against the NFL, drafting, researching and writing pleadings.

Our firms filed the first complaint against the NFL, Maxwell v. NFL in Los Angeles Superior Court on July 19, 2011. On August 3, 2011, we filed our second complaint, Pear v. NFL in the same court totaling over 120 chronically brain injured retired players. After filing the second complaint the NFL removed the cases to Federal Court. Our firms collectively worked on and filed a Motion to Remand. This is one of several motions that my firm had to brief as part of our efforts in the NFL litigation.

In the MDL litigation, Mr. Girardi served as an Executive Committee member. Mr. Girardi spent numerous hours working on behalf of the committee and in pursuing collective goals. Graham LippSmith, a partner with fifteen years experience, assisted Mr. Girardi in those efforts. Additionally, Celene Chan, an associate with nine years experience, also assisted in those efforts.